

**ASSEMBLY BILL**

**No. 781**

**Introduced by Assembly Member Leno**

February 18, 2005

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An act to amend Section 7060 of the Government Code, relating to rental property.

LEGISLATIVE COUNSEL'S DIGEST

AB 781, as introduced, Leno. Rental property.

Under the Ellis Act, public entities generally are prohibited from adopting any statute, ordinance, or regulation, or taking any administrative action, to compel the owner of residential real property to offer or to continue to offer accommodations, as defined, in the property for rent or lease.

This bill would limit this prohibition to owners of residential real property who have owned the property for 5 years.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 7060 of the Government Code is  
2     amended to read:  
3     7060. (a) No public entity, as defined in Section 811.2, shall,  
4     by statute, ordinance, or regulation, or by administrative action  
5     implementing any statute, ordinance, or regulation, compel the  
6     owner of any residential real property *who has owned the*  
7     *property for five years* to offer, or to continue to offer,  
8     accommodations in the property for rent or lease, except for  
9     guestrooms or efficiency units within a residential hotel, as

1 defined in Section 50519 of the Health and Safety Code, if the  
2 residential hotel meets all of the following conditions:

3 (1) The residential hotel is located in a city and county, or in a  
4 city with a population of over 1,000,000.

5 (2) The residential hotel has a permit of occupancy issued  
6 prior to January 1, 1990.

7 (3) The residential hotel did not send a notice of intent to  
8 withdraw the accommodations from rent or lease pursuant to  
9 subdivision (a) of Section 7060.4 that was delivered to the public  
10 entity prior to January 1, 2004.

11 (b) For the purposes of this chapter, the following definitions  
12 apply:

13 (1) “Accommodations” means either of the following:

14 (A) The residential rental units in any detached physical  
15 structure containing four or more residential rental units.

16 (B) With respect to a detached physical structure containing  
17 three or fewer residential rental units, the residential rental units  
18 in that structure and in any other structure located on the same  
19 parcel of land, including any detached physical structure  
20 specified in subparagraph (A).

21 (2) “Disabled” means a person with a disability, as defined in  
22 Section 12955.3 of the Government Code.